

Message Text

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PAGE 01 CARACA 08438 251240Z
ACTION ARA-14

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ARA/AND/V PASS JUSTICE-PROPPER

E.O. 11652: NA
TAGS: PINS, VE, US
SUBJECT: GOV CHARGES "CUBANA AIRLINER" DEFENDANTS WITH MILITARY
CRIMES

REF: CARACAS 8170, CARACAS 7763

1. CARACAS PRESS CARRIES STORIES AUGUST 24 TO EFFECT THAT
VENEZUELAN MILITARY JUDGE HAS NOW ISSUED ARREST WARRANTS
AGAINST ORLANDO BOSCH, LUIS POSADA CARRILES, HERNAN RICARDO
AND FREDDY LUGO. STORIES VARY ABOUT PRECISE CHARGES, BUT
IT APPEARS THAT POSADA, RICARDO AND LUGO HAVE BEEN CHARGED
WITH TREASON UNDER ARTICLE 464 OF THE MILITARY CODE. POSADA,
ALTHOUGH BORN IN CUBA, IS A NATURALIZED VENEZUELAN. LUGO AND
RICARDO ARE NATIVE-BORN VENEZUELAN. BOSCH CANNOT BE CHARGED
WITH TREASON, SINCE HE IS NOT VENEZUELAN, BUT IS BEING
CHARGED WITH "MILITARY REBELLION" UNDER ARTICLES 476 AND
486 OF THE MILITARY CODE. ONE NEWSPAPER ALSO STATES THAT
BOSCH WILL BE TRIED FOR "HOMICIDE" UNDER ARTICLE 482 OF
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THE MILITARY CODE. THE FOUR PRISONERS HAVE BEEN TRANSFERRED
FROM CIVILIAN JAIL TO SAN CARLOS MILITARY PRISON. FINALLY,
MINISTER OF DEFENSE HAS NOT YET CONFIRMED THE MILITARY
CHARGES AGAINST THE DEFENDANTS BUT IS QUOTED AS SAYING THAT
MILITARY CHARGES HAVE BEEN BROUGHT "UNOFFICIALLY" AGAINST
THE FOUR DETAINEES.

2. ADDITIONALLY, THE CASE AGAINST BOSCH FOR DEFAMING PRESIDENT PEREZ, ARISING OUT OF HIS INTERVIEW PUBLISHED IN THE "DAILY JOURNAL" JULY 5 CONTINUES TO BE HEARD IN THE CIVIL COURTS. THE JUDGE HANDLING THIS CASE IS EXPECTED TO MAKE A DECISION ABOUT WHETHER BOSCH SHOULD BE FORMALLY BROUGHT TO TRIAL ON THIS CHARGE.

3. PRESS COVERAGE OF TIS CASE IS UNCLEAR AND CONFUSED. EMBASSY WILL FOLLOW UP TO GET ACCURATE PICTURE OF SITUATION. FRECHETTE

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Message Attributes

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